

REMARKS

Applicant has carefully studied the outstanding Official Action in the present application. The present response is intended to be fully responsive to all points of rejection raised by the Examiner in the Office Action mailed November 9, 2005, and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of all claims under consideration is respectfully requested.

Claims 1-16 are all the claims pending in the application. Claims 1-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,404,775 to Leslie et al. (hereinafter "Leslie") in view of U.S. Patent No. 6,263,061 to Tanaka et al. (hereinafter "Tanaka") and further in view of U.S. Patent No. 5,448,619 to Evans et al. (hereinafter "Evans") and U.S. Patent No. 5,459,761 to Monica et al. (hereinafter "Monica").

I. Claim 1

Applicant has amended claim 1 in a manner that would distinguish the invention over the references. Applicant respectfully submits that the present change has already been at issue during prosecution of the present application and that no new matters are raised and no further search is required.

Claim 1, as amended, recites

the downstream system or the converter module further
comprising a plurality of modules for identifying public mobile
telephone network users, and

the converter module further comprising means for
choosing one or more identification modules in accordance with a
criterion related to a contract of the user.

The Examiner asserts that these features, previously included in claims 4 and 5, are disclosed in col. 28, lines 1-17 and col. 4, line 52 to col. 5, line 11 of Leslie. Office Action, last paragraph on page 5 and first full paragraph on page 6.

The excerpt in col. 28, lines 1-17 describes a method for a repeater to process a call destined for a mobile in the repeater coverage area. In the method, the cellular system pages the mobile by transmitting messages including the Mobile Identification Number of the mobile over the cellular network forward control channels. The Examiner relies upon this excerpt as disclosure for modules for identifying public mobile telephone network users. Applicant respectfully submits that paging a mobile does not disclose or teach identifying public mobile telephone network users. Paging a mobile, as described in Leslie, only teaches transmitting messages, including the Mobile Identification Number, to the mobile being paged, and does not require identifying the public mobile telephone network user. Neither this particular excerpt nor anywhere else of Leslie teaches or discloses identifying public mobile telephone network users.

The excerpt in col. 4, line 52 to col. 5, line 11 of Leslie describes translation in different frequencies by the repeater. It does not disclose or suggest choosing identification modules in accordance with a criterion related to a contract of the user, as maintained by the Examiner. In addition, in Response to Arguments, the Examiner contends that Leslie inherently teaches “choosing the modules.” Office Action, page 10, the third full paragraph. Applicant respectfully notes that claim 1 recites “choosing one or more identification modules in accordance with a

criterion related to a contract of the user.” Regardless whether Leslie inherently teaches or suggests “choosing the modules,” Leslie fails to disclose “choosing the modules in accordance with a criterion related to a contract of the user,” as recited in claim 1.

Claim 1 is patentable over the applied art at least because Leslie has above deficiencies and because Tanaka, Evan and Monica, taken in any conceivable combination with Leslie, as a whole, fail to remedy the deficiencies of Leslie.

II. Claims 2-16

Applicant cancels claims 4-5 without prejudice or disclaimer.

Claims 2-3 and 6-16 are patentable at least because of their dependency from claim 1.

With further regard to claim 6, relying on the link manager processor updating the mobile registration database, the Examiner contends that Leslie inherently teaches that the database detects that a user of a mobile has a contract with a GSM public network. Applicant respectfully submits that the mobile registration database is used for storing information on cell coverage area which a mobile enters and the link manager processor consults the mobile registration database to determine what pages received from the base station should be forwarded to the mobile. *See* Leslie, col. 24, lines 39-54. Nowhere in Leslie is there any teaching or suggestion on “detecting, by means of a database, that the user of a mobile telephone terminal has a contract with the GSM public network,” as recited in claim 6. For this additional reason, claim 6 is patentable.

With further regard to claim 13, the Examiner contends that the mobile registration in Leslie inherently teaches authentication, encryption and authentication key. Applicant submits that “[i]n relying upon the theory of inherency, the examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent

RESPONSE UNDER 37 C.F.R. § 1.116
Appln. No.: 09/773,729

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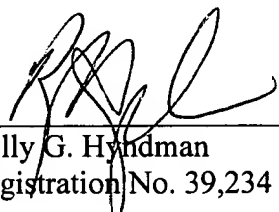
characteristic necessarily flows from the teachings of the applied prior art.” *Ex parte Levy*, 17 USPQ2d 1461, 1464 (Bd. Pat. App. & Inter. 1990) (emphasis in original). Since authentication and encryption do not necessarily and without fail flow from mobile registration in Leslie, the reference cannot be said to inherently teach authentication, encryption and authentication key. For this additional reason, claim 13 is patentable.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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